

United States Court of Appeals  
For the Eighth Circuit

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No. 12-2939

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Jennifer S. Jenkins

*Plaintiff - Appellant*

v.

Medical Laboratories of Eastern Iowa, Inc.

*Defendant - Appellee*

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Appeal from United States District Court  
for the Northern District of Iowa - Cedar Rapids

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Submitted: April 11, 2013

Filed: April 30, 2013

[Unpublished]

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Before LOKEN and GRUENDER, Circuit Judges, and WIMES,<sup>1</sup> District Judge.

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PER CURIAM.

Jennifer Jenkins claims that Medical Laboratories of Eastern Iowa (“Med Labs”) terminated her employment because it perceived her as being disabled and in

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<sup>1</sup>The Honorable Brian C. Wimes, United States District Judge for the Eastern and Western Districts of Missouri, sitting by designation.

retaliation for complaining of workplace harassment. The district court<sup>2</sup> granted summary judgment in favor of Med Labs, determining that Jenkins (1) failed to present direct evidence of discrimination or retaliation, (2) failed to present sufficient evidence to create a material question of fact with respect to several elements of a *prima facie* case for discrimination or retaliation, and (3) even if she had established a *prima facie* case, failed to present sufficient evidence to create a material question of fact as to whether Med Labs's proffered non-discriminatory, non-retaliatory reason for terminating Jenkins's employment amounted to mere pretext. After a careful *de novo* review of the record, *see Stewart v. Indep. Sch. Dist. No. 196*, 481 F.3d 1034, 1042 (8th Cir. 2007) (standard of review), we affirm for the reasons stated by the district court, *see* 8th Cir. R. 47B.<sup>3</sup>

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<sup>2</sup>The Honorable Linda R. Reade, Chief Judge, United States District Court for the Northern District of Iowa.

<sup>3</sup>Because we affirm on the merits of the disability discrimination and retaliation claims, we do not reach the administrative proceeding exhaustion question.